## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of GMW Fire Protection, Inc., an Alaska Corporation,	) ) )
Plaintiff,	)
vs.	)
KANAG'IQ CONSTRUCTION CO., INC., an Alaska Corporation, and WESTERN SURETY COMPANY, a South Dakota Corporation,	) ) ) )
Defendants.	) Case No. A05-170 CI (TMB

## AFFIDAVIT OF COUNSEL

STATE OF ALASKA	)
	)·ss.
THIRD JUDICIAL DISTRICT	)

Laura S. Gould, being first duly sworn, deposes and states:

- 1. I am an attorney for Defendants, Kanag'Iq Construction Co., Inc. and Western Surety Company in the above action.
- 2. Shortened time is needed for consideration of Defendants' Motion for Stay of Execution of Judgment because of Defendants' pending appeal in this matter.
- 3. Because Defendants' appeal may affect the judgment against Western Surety and/or Kanag'Iq, it is necessary that the Court rule on the Motion for Stay before Plaintiff proceeds to execute against the current judgment.

(907) 279-0933 fax

Affidavit of Counsel

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	4.	This	office	has	communicated	with	Western	Surety	Company	and	has
obtai	ned perr	nissio	n to use	e the	payment bond is	n this	matter as	the bond	d on appeal	. A c	юру
of th	e payme	nt bor	nd is att	ache	d to the Motion	and N	<b>1emorand</b>	um for S	Stay of Exe	cutio	n of
Judg	ment.										

5. Absent an order from the Court granting a stay of execution of the judgment until the pending appeal is resolved, Plaintiff may otherwise proceed to execute against the judgment as of August 18, 2008.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED at Anchorage, Alaska this 7th day of August, 2008.

By: Laura S. Gould
Alaska Bar No. 0310042

SUBSCRIBED AND SWORN to before me this 7th day of August, 2008.



Notary Public in and for the State of Alaska My Commission Expires: October 15, 2011

Affidavit of Counsel

## **CERTIFICATE OF SERVICE**

I am a legal secretary employed by the law firm of Eide & Gingras, P.C. That on this 7th day of August, 2008, I served

[x] Electronically

a true and accurate copy of the foregoing document upon the following counsel of record:

Sarah J. Tugman, Esq. 2509 Eide Street, Suite 4 Anchorage, AK 99503

EIDE & GINGRAS, P.C.

By /s/Donna Charter

F:\431\05\Post-Trial Documents\Affidavit of Counsel III.DOC

Eide & Gingras, P.C. 425 G Street, Suite 930 Anchorage, Alaska 99501 (907) 279-0930 telephone (907) 279-0933 fax

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